

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION
VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,
v.

BARRY LAMAR BONDS

FILED
2011 FEB 10 P 1:48
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CR 07-732 SI

DEFENDANT.

INDICTMENT

18 U.S.C. § 1623(a)- False Declarations Before
Grand Jury

18 U.S.C. § 1503- Obstruction of Justice

A true bill.

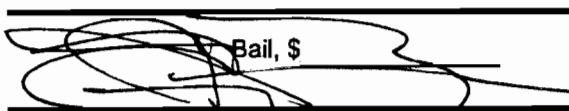

Foreman

Filed in open court this 10 day of

February, 2011


Brenda Tolbert
Clerk

NO PROCESS


Bail, \$

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ INFORMATION ☒ INDICTMENTMatter Sealed: ☐ Juvenile ☐ Other than Juvenile
☐ Pre-Indictment Plea ☒ Superseding ☐ Defendant Added
☒ Indictment ☐ Charges/Counts Added
☐ Information

Name of District Court, and/or Judge/Magistrate Location (City)

 UNITED STATES DISTRICT COURT San Francisco
 DISTRICT OF Northern California Divisional Office

 Name and Office of Person
 Furnishing Information on
 THIS FORM Melinda Haag
☐ U.S. Atty ☐ Other U.S. Agency
 Phone No. _____

 Name of Asst.
 U.S. Attorney Matthew Parrella
 (if assigned)

PROCEEDING

 Name of Complainant Agency, or Person (& Title, if any)
Internal Revenue Service, Criminal Investigation
☐ person is awaiting trial in another Federal or State Court
 (give name of court)

☐ this person/proceeding transferred from another district
 per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges
 previously dismissed which were
 dismissed on motion of:

☐ U.S. Atty ☐ Defense

☐ this prosecution relates to a
 pending case involving this same
 defendant. (Notice of Related
 Case must still be filed with the
 Clerk.)

☐ prior proceedings or appearance(s)
 before U.S. Magistrate Judge
 regarding this defendant were
 recorded under
SHOW
DOCKET NO.MAG. JUDGE
CASE NO.
 Place of
 offense _____ County _____
CASE NO. CR 07-0732 SI

USA vs.

Defendant: BARRY LAMAR BONDS

Address: _____

☐ Interpreter Required Dialect: _____

 Birth Date _____ ☒ Male ☐ Alien
☐ Female (if applicable)

Social Security Number _____

DEFENDANT

Issue: ☐ Warrant ☐ Summons

Location Status:

Arrest Date _____ or Date Transferred to Federal Custody _____

☐ Currently in Federal Custody☐ Currently in State Custody☐ Writ Required☐ Currently on bond☐ Fugitive

Defense Counsel (if any): _____

☐ FPD ☐ CJA ☐ RET'D
☐ Appointed on Target Letter☐ This report amends AO 257 previously submitted

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts 11

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Count(s)
	18 U.S.C. § 1623(a)	False Declaration Before Grand Jury	1 -4
	MAXIMUM PENALTY: see attached		
	18 U.S.C. § 1503	Obstruction of Justice	5
	MAXIMUM PENALTY: see attached		

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 NORTH DISTRICT OF CALIFORNIA

Offense Charged- U.S.C. Citation- Statutory Maximum Penalties- Additional Information or Comments

Set	Title & Section/Offense Level	Description of Offense Charged	Count(s)
	18 U.S.C. § 1623(a)	False Declaration Before Grand Jury	1-4
	MAXIMUM PENALTY: 10 years maximum imprisonment, \$250,000 fine, 3 years supervised release, \$100 special assessment fee		
	18 U.S.C. § 1503	Obstruction of Justice	5
	MAXIMUM PENALTY: 10 years maximum imprisonment, \$250,000 fine, 3 years supervised release, \$100 special assessment fee		

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NORTHERN DISTRICT OF CALIFORNIA

MELINDA HAAG (132612)
United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

BARRY LAMAR BONDS,

Defendant.

No. CR 07-0732-SI

VIOLATIONS: 18 U.S.C. § 1623(a) – False
Declarations Before Grand Jury; 18 U.S.C. §
1503 – Obstruction of Justice

SAN FRANCISCO VENUE

THIRD SUPERSEDING INDICTMENT

The Grand Jury charges:

Background

At all times relevant to this Indictment:

1. The defendant, BARRY LAMAR BONDS (“Bonds”), was a Major League Baseball player for the San Francisco Giants.
2. Balco Laboratories, Inc. (“Balco”), was a California corporation performing blood-testing, among other functions. Balco was located in Burlingame, California.
3. Greg Anderson (“Anderson”) was a personal athletic trainer whose clients included numerous professional athletes, including Bonds. Anderson was affiliated with Balco

1 in that, among other things, he obtained illegal drugs for later distribution to his clients
2 (including professional athletes); submitted biological specimens from his clients to Balco for
3 testing (including sending the specimens off to outside laboratories for analysis); and obtained
4 the laboratory analysis results of those specimens from Balco.

5 4. A federal criminal investigation ("the criminal investigation"), led by the Internal
6 Revenue Service-Criminal Investigations ("IRS-CI"), commenced in the Northern District of
7 California concerning Balco's distribution of anabolic steroids and other illegal performance-
8 enhancing drugs and the related money laundering of proceeds from the drug distributions. The
9 criminal investigation initially resulted in an indictment and the convictions of four defendants
10 on federal charges, including illegal drug distribution and money laundering offenses.

11 5. One focus of the criminal investigation was whether Balco, Anderson, and others
12 were engaged in illegal drug distribution and money laundering arising from illegal distributions
13 of drugs to professional athletes and others.

14 6. As part of the criminal investigation, on or about September 3, 2003, a federal
15 search warrant, issued in the Northern District of California, was executed at the Balco premises
16 in Burlingame, California. As well as other evidence, investigators obtained evidence that Bonds
17 had a relationship with Anderson and Balco.

18 7. As part of the criminal investigation, several professional athletes, including but
19 not limited to Bonds, and other witnesses were subpoenaed to appear before the Federal Grand
20 Jury to provide testimony about their knowledge and involvement with Balco and its employees,
21 including but not limited to Victor Conte and James Valente, as well as any relationship they had
22 with Anderson.

23 8. On or about December 4, 2003, Bonds testified before the Grand Jury. Bonds
24 received an Order of Immunity for his Grand Jury testimony, pursuant to 18 U.S.C. § 6003 and
25 28 C.F.R. § 0.175, and was informed that pursuant to that order neither his testimony nor any
26 information directly or indirectly derived from his testimony could be used against him in any
27 criminal case except in a prosecution for perjury, false declaration, or otherwise failing to comply
28 with the Court's order.

1 9. During the criminal investigation, evidence was obtained including a positive test
2 for the presence of anabolic steroids and other performance-enhancing substances for Bonds.

3 COUNT ONE: (18 U.S.C. § 1623(a) – False Declarations Before Grand Jury)

4 10. The factual allegations contained in paragraphs one through nine above are
5 incorporated herein as if set forth in full.

6 11. On or about December 4, 2003, in the Northern District of California, the
7 defendant,

8 BARRY LAMAR BONDS,

9 having taken an oath to testify truthfully in a proceeding before a Grand Jury sitting in the
10 Northern District of California, knowingly made a false material declaration, that is, he gave the
11 following underlined false testimony:

12 Q: I know the answer - - let me ask you this again. I know we kind of got into this.

13 Let me be real clear about this. Did he [Anderson] ever give you anything that you knew
14 to be a steroid? Did he ever give a steroid?

15 A: I don't think Greg would do anything like that to me and jeopardize our
16 friendship. I just don't think he would do that.

17 Q: Well, when you say you don't think he would do that, to your knowledge, I mean,
18 did you ever take any steroids that he gave you?

19 A: Not that I know of.

20 All in violation of Title 18, United States Code, Section 1623(a).

21
22 COUNT TWO: (18 U.S.C. § 1623(a) – False Declarations Before Grand Jury)

23 12. The factual allegations contained in paragraphs one through nine above are
24 incorporated herein as if set forth in full.

25 13. On or about December 4, 2003, in the Northern District of California, the
26 defendant,

27 BARRY LAMAR BONDS,

28 having taken an oath to testify truthfully in a proceeding before a Grand Jury sitting in the

1 Northern District of California, knowingly made a false material declaration, that is, he gave the
2 following underlined false testimony:

3 Q: Did Greg ever give you anything that required a syringe to inject yourself with?

4 A: I've only had one doctor touch me. And that's my only personal doctor.

5 Greg, like I said, we don't get into each others' personal lives. We're friends, but I don't
6 – we don't sit around and talk baseball, because he knows I don't want – don't come to
7 my house talking baseball. If you want to come to my house and talk about fishing, some
8 other stuff, we'll be good friends. You come around talking about baseball, you go on. I
9 don't talk about his business. You know what I mean?

10 *****

11 Q: So no one else other than perhaps the team doctor and your personal physician has
12 ever injected anything in to you or taken anything out?

13 A: Well, there's other doctors from surgeries. I can answer that question, if you're
14 getting technical like that. Sure, there are other people that have stuck needles in me and
15 have drawn out - - I've had a bunch of surgeries, yes.

16 Q: So - -

17 A: So sorry.

18 Q: - - the team physician, when you've had surgery, and your own personal
19 physician. But no other individuals like Mr. Anderson or any associates of his?

20 A: No, no.

21 All in violation of Title 18, United States Code, Section 1623(a).

22
23 COUNT THREE: (18 U.S.C. § 1623(a) – False Declarations Before Grand Jury)

24 14. The factual allegations contained in paragraphs one through nine above are
25 incorporated herein as if set forth in full.

26 15. On or about December 4, 2003, in the Northern District of California, the
27 defendant,

28 BARRY LAMAR BONDS,

1 having taken an oath to testify truthfully in a proceeding before a Grand Jury sitting in the
2 Northern District of California, knowingly made a false material declaration, that is, he gave the
3 following underlined false testimony:

4 Q: And, again, just to be clear and then I'll leave it, but he [Anderson] never gave
5 you anything that you understood to be human growth hormone? Did he ever give you
6 anything like that?

7 A: No.

8 All in violation of Title 18, United States Code, Section 1623(a).

9
10 COUNT FOUR: (18 U.S.C. § 1623(a) – False Declarations Before Grand Jury)

11 16. The factual allegations contained in paragraphs one through nine above are
12 incorporated herein as if set forth in full.

13 17. On or about December 4, 2003, in the Northern District of California, the
14 defendant,

15 BARRY LAMAR BONDS,

16 having taken an oath to testify truthfully in a proceeding before a Grand Jury sitting in the
17 Northern District of California, knowingly made a false material declaration, that is, he gave the
18 following underlined false testimony:

19 Q: Mr. Anderson had never given you anything or asked you to take anything before
20 the 2003 season; is that right?

21 A: We never had those discussions. We don't discuss about his -- you know, part of
22 his world of business is his business. My business is my business. So, we don't --

23 Q: I'm asking --

24 A: No.

25 Q: That's not my question. My question is - -

26 A: No.

27 Q: - - prior to the last season, you never took anything that he asked you to take, other
28 than vitamins?

1 A: Right. We didn't have any other discussions.

2 Q: No oils like this or anything like this before?

3 A: No, no, no, not at all. Not at all.

4 All in violation of Title 18, United States Code, Section 1623(a).

5
6 COUNT FIVE: (18 U.S.C. § 1503 – Obstruction of Justice)

7 18. The factual allegations contained in paragraphs one through nine above are
8 incorporated herein as if set forth in full.

9 19. On or about December 4, 2003, in the Northern District of California, the
10 defendant,

11 BARRY LAMAR BONDS,

12 did corruptly influence, obstruct, and impede, and endeavor to corruptly influence, obstruct, and
13 impede, the due administration of justice, by knowingly giving material Grand Jury testimony
14 that was intentionally evasive, false, and misleading, including but not limited to the false
15 statements made by the defendant as charged in Counts One through Four of this Indictment.
16 All in violation of Title 18, United States Code, Section 1503.

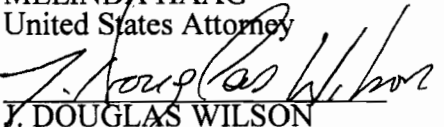
17
18 DATED:

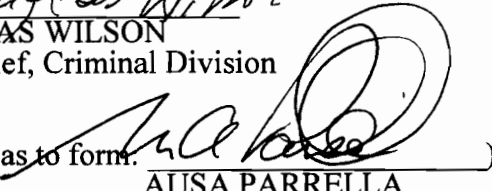
A TRUE BILL.

19 *February 10, 2011*

20 
FOREPERSON

21 MELINDA HAAG
22 United States Attorney

23 
J. DOUGLAS WILSON
24 Deputy Chief, Criminal Division

25 (Approved as to form. )

AUSA PARRELLA